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State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

355 West North Temple

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Salt Lake City, Utah 84180-1203

801-538-5340

April 17, 1992

CERTIFIED RETURN RECEIPT
P 074 978 837

Mr. Earl Dean Willden
Perpetual Storage, Incorporated
6279 East Little Cottonwood Canyon Road
Sandy, Utah 84092

Dear Mr. Willden:

Re: Construction of New Vault, Perpetual Storage, Inc. (Salt Lake County Conditional Use Permit PL-92-2038), S/035/013, Salt Lake County, Utah

The Division of Oil, Gas and Mining received a request for recommendation from the Salt Lake County Public Works Department on March 30, 1992, regarding the proposed construction of a new storage vault by Perpetual Storage, Inc. After several telephone discussions with you, your architect, Charles Peterson, Jim Nowa, and our legal counsel, we have come to the conclusion that your proposal does fall under the Division's regulatory jurisdiction.

The definitions contained in the Utah Mined Land Reclamation Act, Title 40-8-4(3)(a) and its interpretative Minerals Rules (R647-1-106), do include construction of an underground storage facility as a mining activity. We have enclosed a copy of the Minerals Reclamation Program Rules, and the applicable Statutory language, for your reference and further clarification.

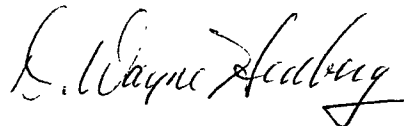
It is my understanding that the existing surface disturbance and the additional disturbance proposed for the second vault (including access roads) will not exceed 5 acres. Consequently, no reclamation surety will be required by this agency. This size of disturbance would categorize your operation as a small mining operation. In order for the Division to make a recommendation regarding this proposal, you will need to file a Notice of Intention to Conduct Small Mining Operations (NOI-SMO) with this office.

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The Division will evaluate your NOI-SMO application for completeness and notify you of any outstanding completeness requirements within 14 days of our receipt. A formal recommendation will also be made to Salt Lake County. Please complete the enclosed NOI-SMO form and return it to the Division for review within the next 15 days.

Thank you for your understanding and cooperation in this matter. If you have any questions regarding this filing requirement, please feel free to contact me or Tony Gallegos of the Minerals staff.

Sincerely,

A handwritten signature in cursive script, appearing to read "D. Wayne Hedberg".

D. Wayne Hedberg
Minerals Permit Supervisor

jb
Enclosures
cc: W. Reynolds, SL County
Lowell Braxton, DOGM
Tony Gallegos, DOGM
S035013